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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,641	01/22/2002	Bernard A. Traversat	5681-07300	9403

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EXAMINER

NGUYEN, PHUOC H

ART UNIT PAPER NUMBER

- 2143

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,641

Applicant(s)

TRAVERSAT ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-203 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-203 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/4/02, 2/10/03, 11/12/03, 4/6/05, 5/6/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-44, 48-82, 86-105, 109-143, 147-157, and 160-203 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (Hereafter, Dutta) U.S. Pub. No. 2002/0073075 in view of Borella et al. (Hereafter, Borella) U.S. Patent 6,269,099.

3. Regarding claims 1, 48, 49, 86, 109, 147, 160, and 194, Dutta discloses a peer-to-peer network (Abstract), comprising: a plurality of peer nodes, wherein each peer node comprises a network node configured to communicate with one or more other ones of said peer nodes over the peer-to-peer network, wherein the plurality of peer nodes are configured to implement a peer-to-peer environment on the network according to a peer-to-peer platform (Figure 2D) comprising a core layer comprising one or more peer-to-peer platform protocols for enabling the plurality of peer nodes to discover each other, communicate with each other, and cooperate with each other to form peer groups and share network resources in the peer-to-peer environment (page 3 paragraphs 0038 and 0040); one or more rendezvous nodes, wherein each rendezvous node is operable to cache one or more resource advertisements for discovery by the peer nodes on the peer-to-peer network (page 4 paragraph [0045], page 6 paragraph [0076], page 7 paragraph [0082]), wherein each resource advertisement comprises an indication of how to access a corresponding network resource (pages 5 paragraph [0062]), and one or more resource

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advertisements are formatted in accordance with the peer-to-peer platform (page 3 paragraph 0032); however, Dutta fails to teach wherein the one or more peer-to-peer platform protocols include a discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance, reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

4. Regarding claims 2, 50, 110, 148, 161, and 195, Dutta further discloses the rendezvous nodes are peer nodes (Figure 2D).

5. Regarding claims 3, 51, 111, and 162, Dutta further discloses each resource advertisement comprises an identifier for and communication address for the corresponding network resource (e.g. URLs) [0062].

6. Regarding claims 4, 52, 112, and 163, Dutta further discloses each of the one or more of said resource advertisements comprises a security credential for authenticating the corresponding network resource (page 5 paragraph [0055]).

7. Regarding claims 5, 53, 87, 113, 149, 164, and 196, Dutta further discloses the network resources include one or more of the peer groups, the peer nodes, services, applications, content, pipes and pipe endpoints, wherein the pipes are communications channels between one or more of the peer nodes (e.g. communication between peer nodes as disclose in Figure 2D), the services

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and the applications in the peer-to-peer environment, wherein the pipe endpoints are network interfaces on the peer nodes that are configured to be bound to the pipes to establish the communications channels (e.g. interfaces between peer node as disclose in Figure 2D) (page 3 paragraph [0042]).

8. Regarding claims 6, and 54, Dutta further discloses network resources include the peer groups, wherein each peer group comprises one or more of the peer nodes, wherein the resource advertisements include a peer group advertisement for each of said one or more peer groups, wherein each peer group advertisement further comprises an identifier for the corresponding peer group and information on how to join the peer group (page 7 paragraphs [0081-0082]).

9. Regarding claims 7, and 55, Dutta further discloses the network resources include one or more of the peer nodes, wherein the resource advertisements comprise a peer advertisement for each of said one or more peer nodes, wherein each peer advertisement comprises an identifier for the corresponding peer node (page 7 paragraph [0084]).

10. Regarding claims 8, and 56, Dutta further discloses the network resources include one or more services each provided by one or more of the peer nodes, wherein the resource advertisements comprise a service advertisement for each of said plurality of services, wherein each service advertisement comprises an identifier for the corresponding service (page 7 paragraph [0079]).

11. Regarding claims 9, and 57, Dutta further discloses the network resources include a plurality of applications each provided by one or more of the peer nodes, wherein the resource advertisements comprise an application advertisement for each of said applications, wherein each

application advertisement comprises an identifier for the corresponding application (page 7 paragraph [0084]).

12. Regarding claims 10, and 58, Dutta further discloses the network resources include one or more contents provided by one or more of the peer nodes, wherein the resource advertisements comprise a content advertisement for each of said contents, wherein each content advertisement comprises an identifier for the corresponding content (page 7 paragraph [0084]).

13. Regarding claims 11, and 59, Dutta further discloses the network resources include one or more pipes, wherein the one or more pipes are communications channels between one or more of the peer nodes, services and applications in the peer-to-peer environment, wherein the resource advertisements comprise a pipe advertisement for each of said one or more pipes, wherein each pipe advertisement comprises an identifier for the corresponding pipe (pages 4-5 paragraph [0054]).

14. Regarding claims 12, and 60, Dutta further discloses the network resources include one or more pipe endpoints, wherein the pipe endpoints are network interfaces on the peer nodes that are configured to be bound to the pipes to establish the communications channels, wherein the resource advertisements comprise an endpoint advertisement for each of said one or more pipe endpoints, wherein each endpoint advertisement comprises an identifier for the corresponding pipe endpoint (pages 4-5 paragraph [0054]).

15. Regarding claims 13, Dutta further discloses an advertisement for each of the one or more rendezvous nodes, wherein the advertisement for each of the one or more rendezvous nodes includes information describing how to connect to and communicate with the particular rendezvous node, wherein each rendezvous node is operable to cache one or more of said

advertisements for the one or more rendezvous nodes, wherein said advertisements for the one or more rendezvous nodes cached on the rendezvous nodes are discoverable by said peer nodes on the peer-to-peer network (page 6 paragraph [0076], page 7 paragraph [0082]).

16. Regarding claims 14, 63, 88, 114, and 165, Dutta further discloses the one or more resource advertisements each comprise a time-to-live indicator, wherein each of the one or more rendezvous nodes is further operable to: decrement the time-to-live indicator comprised by each of the one or more resource advertisement cached by the particular rendezvous node, and if the time-to-live indicator expires, delete or invalidate the particular cached resource advertisement (page 4 paragraph [0045]).

17. Regarding claims 15, 64, 115, 151, 166, and 198, Dutta further discloses at least a subset of the peer groups comprise: one or more of the rendezvous nodes, and one or more of the plurality of peer nodes; wherein the rendezvous nodes within the peer group are accessible by the one or more peer nodes and the other rendezvous nodes within the peer group to discover network resources within the peer group (Figure 5c).

18. Regarding claims 16, 65, 116, 152, 167, and 199, Dutta further discloses the rendezvous nodes within the peer group are not accessible by peer nodes not in the peer group and rendezvous nodes not in the peer group (Figure 5c).

19. Regarding claims 17, 66, 89, 117, and 168, Dutta further discloses the each of the one or more rendezvous nodes is operable to discover routes to network resources and communicate said routes to one or more of the plurality of peer nodes (Figure 5c).

20. Regarding claims 18, 67, 118, and 169, Dutta further discloses one or more of the plurality of peer nodes is each operable to communicate with at least one of the one or more

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rendezvous nodes at startup of the particular peer node to discover network resources that the particular peer node requires (pages 3 paragraph [0037]).

21. Regarding claims 19, 20, 68, 90, 91, 119, 120, 153, 170, 171, and 200, Dutta further discloses each of the plurality of peers is operable to broadcast discovery queries to discover said network resources, wherein the discovery queries are formatted (page 3 paragraph [0043]); determine if a resource advertisement satisfying a particular one of the one or more discovery queries is cached on the particular rendezvous node and if the resource advertisement satisfying the particular discovery query is cached on the particular rendezvous node, provide the resource advertisement to one of the plurality of peer nodes that broadcast the particular discovery query (pages 3-4 paragraphs [0039, 0050]); however, Dutta fails to teaches the discovery queries are format in accordance with the discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance, reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

22. Regarding claims 21, 69, 121, 154, 172, and 201, Dutta further discloses each of the one or more rendezvous nodes is further operable to forward the discovery query to one or more other rendezvous nodes if the resource advertisement satisfying the discovery query is not cached on the particular rendezvous node (pages 3-4 paragraphs [0039, 0050]).



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23. Regarding claims 22, 122, and 173, Dutta further discloses each of the plurality of peer nodes is operable to: receive one or more discovery queries for discovering said network resources, wherein the discovery queries are formatted; respond to a particular one of the one or more discovery queries if the particular peer node includes the resource advertisement satisfying the particular discovery query (pages 3-4 paragraphs [0039, 0043, 0050]); however, Dutta fails to teach the discovery queries are format in accordance with the discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance, reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

24. Regarding claims 23, 92, 123, and 174 Dutta further discloses each of the plurality of peer nodes is further operable to forward the particular discovery query to one or more other peer nodes of the plurality of peer nodes if the particular peer node does not include the resource advertisement satisfying the particular discovery query (pages 3-4 paragraphs [0039, 0050]).

25. Regarding claims 24, 124, and 175, Dutta further discloses each of the plurality of peer nodes is further operable to forward the particular discovery query to one or more of the rendezvous nodes if the particular peer node does not include the resource advertisement satisfying the particular discovery query (pages 3-4 paragraphs [0039, 0050]).

26. Regarding claims 25-26, 96, 125, and 176, Dutta further discloses each of the plurality of peer nodes does not forward the particular discovery query to one or more of the rendezvous nodes if the particular peer node does not include the resource advertisement satisfying the particular discovery query, and each of the plurality of peer nodes is further operable to forward the particular discovery query to one or more other peer nodes of the plurality of peer nodes (pages paragraph [0052], obviously, if peer node does not satisfying the particular discovery query it will not forward the query to the rendezvous node in order to reduce the bandwidth.

27. Regarding claims 27, 126, and 177, Dutta further discloses each of the one or more rendezvous nodes is further operable to forward the discovery query to one or more other rendezvous nodes if the resource advertisement satisfying the discovery query is not cached on the particular rendezvous node (page 6 paragraph [0072]).

28. Regarding claims 28, 93, 127, and 178, Dutta further discloses each of the one or more rendezvous nodes is operable to: receive a discovery query for discovering a particular one of said network resources, and propagate the discovery query to a subset of the one or more rendezvous nodes (pages 4-6 paragraph [0052, 0059 0072 0073]); however, Dutta fails to teaches the discovery queries are format in accordance with the discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance,

reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

29. Regarding claims 29, and 128, Dutta further discloses one or more of the subset of the one or more rendezvous nodes are operable to propagate the discovery query to another subset of the one or more rendezvous nodes (pages 4-6 paragraph [0052, 0059 0072 0073]).

30. Regarding claims 30, 94, 129, Dutta further discloses the rendezvous peers are further operable to limit propagation of the discovery query using a time-to-live indicator included in the discovery query (page 4 paragraph [0044]).

31. Regarding claims 31, 97, 130, and 180, Dutta further discloses one or more of said peer nodes are operable to: send a discovery query message specifying a desired type of advertisement to one or more of the rendezvous nodes, wherein the discovery query message is formatted, and receive one or more response messages comprising one or more advertisements from one or more of the rendezvous nodes in response to said discovery query message (pages 4 paragraph [0051]); however, Dutta fails to teaches the discovery queries are format in accordance with the discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance, reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

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32. Regarding claims 32, 70, 98, 131, and 181, Dutta further discloses the discovery query message comprises a time-to-live indicator decremented by the one or more rendezvous nodes receiving the discovery query message, wherein rendezvous nodes are further operable to delete or invalidate the discovery query message if the time-to-live indicator expires (page 4 paragraph [0044]).

33. Regarding claims 33, 71, 99, 132, and 182, Dutta further discloses the discovery query message comprises a security credential, wherein the rendezvous nodes are operable to use the security credential to authenticate the sending peer node (page 5 paragraph [0055]).

34. Regarding claims 34, 72, 100, 133, and 183, Dutta further discloses the discovery query message specifies advertisements for network resources within a particular region of the network (e.g. filtering search technique) (page 5 paragraphs [0057, 0058]).

35. Regarding claims 35-37, 39, 73-75, 77, 134-136, 138, 155, 184-186, 188, and 202, Dutta further discloses each of the one or more rendezvous nodes are operable to: receive a discovery query message from one of the plurality of peer nodes specifying a desired type of advertisement, locate one or more advertisements of the desired type of advertisements that are cached on the rendezvous node, and send a response message comprising the one or more advertisements to the peer node in response to said discovery query message (pages 4 paragraph [0051]); however, Dutta fails to teaches the discovery queries are format in accordance with the discovery protocol.

Borella discloses peer-to-peer platform protocols include a discovery protocol (col. 2 lines 49-57).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Borella's teaching into Dutta's method to use the discovery protocol to identify one another in the peer-to-peer platform in order to enhance performance, reliability and security of data transmitted over the Internet to and from Autonomous Systems or other networks.

36. Regarding claims 38, 76, 137, and 187, Dutta further discloses each of the one or more other rendezvous nodes are operable to: receive the forwarded discovery query message, and forward the discovery query message to one or more other rendezvous nodes (page 5 paragraph [0059]).

37. Regarding claims 40, 78, 101, 139, 156, 189, and 203 Dutta further discloses each of the one or more rendezvous nodes is further operable to cache the advertisements received in the response message for discovery by the plurality of peer nodes (page 6 paragraph [0073]).

38. Regarding claims 41, 79, 102, 140, and 190, Dutta further discloses at least a subset of the one or more rendezvous nodes cache advertisements related to a particular area of interest (e.g. search filtering technique), wherein each of the one or more rendezvous nodes is configured to: receive a discovery query from a peer node specifying advertisements related to the particular area of interest, if the particular rendezvous node includes resource advertisements satisfying the received discovery query, send the resource advertisements to the peer node, and forward the received discovery query to rendezvous nodes caching advertisements related to the particular area of interest (pages 3-5 paragraphs [0039, 0050, 0057, 0058]).

39. Regarding claims 42, 80, 103, 141, and 191, Dutta further discloses rendezvous nodes are each operable to maintain one or more indexes of the advertisements cached by the rendezvous node (Figure 5c 554).

40. Regarding claims 43, 81, 104, 142, and 192, Dutta further discloses the one or more indexes are updatable to reflect changes in the network resources (e.g. redirecting page 6 paragraphs [0068 0069]).

41. Regarding claims 44, 82, 105, 143, 157, and 193, Dutta further discloses each of the one or more rendezvous nodes is operable to send the one or more indexes to a service in response to a request from the service, wherein the service is operable to use the indexes to discover network resources advertised in the indexes (Figure 5c, Search results 552).

42. Regarding claims 61-62, 150, and 197, Dutta further discloses network resources include one or more other rendezvous nodes on the peer-to-peer network, wherein the resource advertisements comprise an advertisement for each of said rendezvous nodes, wherein each advertisement comprises an identifier for the corresponding rendezvous node, generate an advertisement for the rendezvous node, and communicate said advertisement to peer nodes and other rendezvous nodes on the peer-to-peer network (Figure 4).

43. Regarding claims 95, Dutta further discloses responding to a discovery query specifying a desired type of advertisement if a peer node of the plurality of peer nodes includes a resource advertisement satisfying said discovery query (page 5 paragraph [0063]).

44. Claims 45-47, 83-85, 106-108, 144-146, 158, and 159, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (Hereafter, Dutta '075) U.S. Pub. No.

2002/0073075 and Borella et al. (Hereafter, Borella) U.S. Patent 6,269,099 further in view of Dutta et al. (Hereafter, Dutta '204) U.S. Pub. No. 2002/0073204.

Dutta '075 and Borella discloses one or more rendezvous nodes, wherein each rendezvous node is operable to cache one or more resource advertisements for discovery by the peer nodes on the peer-to-peer network and one or more peer-to-peer platform protocols include a discovery protocol; however, Dutta '075 and Borella fail to teach the rendezvous node is operable to receive a lease request or cancel, send a lease grant or cancel, and broadcast the message to one or more other peer nodes having temporary communications channels with the rendezvous node.

Dutta '204 disclose in figure 6 a peer to peer data sharing application between the peer-to-peer node which allow peer node to establish the temporary connection between peer node to perform download, searches, and uploading, etc (pages 6-7 paragraphs [0071 0073 0074]).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Dutta '204 teaching into Dutta '075 and Borella's method for rendezvous node is operable to receive a lease request or cancel, send a lease grant or cancel, and broadcast the message to one or more other peer nodes having temporary communications channels with the rendezvous node; in order to allow the user to eliminate unnecessary data traffic and optimize the user's connections and search time.

### ***Conclusion***

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fletcher et al. U.S. Patent 6,032,175

Fanning et al. U.S. Patent 6,742,023

Lowery et al. U.S. Pub. 2002/0107935

Zhang U.S. Patent 6,810,259

Ogier et al. U.S. Patent 6,845,091

Gu et al. U.S. Patent 6,892,230

Baratz et al. U.S. Patent 5,109,483

Bhagwat et al. U.S. Patent 6,651,105

Singhal et al. U.S. Patent 6,633,761

Dinkin et al. U.S. Patent 5,224,205

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Phuoc H Nguyen  
Examiner  
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September 23, 2005



**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**